

AMENDED IN SENATE AUGUST 4, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

No. 1624

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**Introduced by Committee on Budget (Assembly Members Ting (Chair), ~~Travis Allen, Bigelow, Bloom, Bonta, Campos, Chávez, Chiu, Cooper, Gordon, Grove, Harper, Holden, Irwin, Kim, Lackey, McCarty, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Patterson, Rodriguez, Thurmond, Wilk, and Williams~~)**

January 7, 2016

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*An act relating to the Budget Act of 2016; to amend Section 44393 of the Education Code, to amend Section 65057 of the Government Code, to amend Sections 10507.8 and 20651.7 of the Public Contract Code, and to amend Section 34 of Chapter 24 of, and to amend Section 39 of Chapter 29 of, the Statutes of 2016, relating to education, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1624, as amended, Committee on Budget. ~~Budget Act of 2016.~~ Education.

*(1) Existing law establishes the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. Subject to an appropriation for these purposes, existing law requires the Commission on Teacher Credentialing, among other things, to adopt criteria for the*



*selection of school districts, charter schools, or county offices of education to participate in the program. Existing law requires that criteria to include the extent to which the applicant's plan for recruitment attempts to meet the demand for teachers in shortage areas, as specified.*

*This bill would add to that criteria the extent to which the applicant's plan for recruitment attempts to meet the demand for bilingual cross-cultural teachers.*

*(2) Existing law establishes, until January 1, 2020, the California Initiative to Advance Precision Medicine under the administration of the Office of Planning and Research in the Governor's Office for the purpose of developing, implementing, awarding funding to, and evaluating demonstration projects on precision medicine in collaboration with public, nonprofit, and private entities, as specified.*

*This bill would exempt the office's implementation and interpretation of the California Initiative to Advance Precision Medicine from the Administrative Procedure Act.*

*(3) Existing law requires the Regents of the University of California, except as provided, to let all contracts involving an expenditure of more than \$100,000 annually for goods and materials or services to the lowest responsible bidder meeting certain specifications, or to reject all bids. Existing law requires the governing board of any community college district to let specified contracts involving an expenditure of more than \$50,000 to the lowest responsible bidder meeting certain specifications, or else to reject all bids. Existing law provides that, before the repeal date of January 1, 2018, the bid evaluation and selection for these contracts may be determined by the best value for the University of California or community college district, as specified. Existing law requires the Legislative Analyst to report, on or before February 1, 2017, to the Legislature regarding the use of best value procurement by the University of California and community college districts.*

*This bill would make that repeal date January 1, 2019, and would make the deadline for the reports regarding the University of California and a community college district's use of best value procurement on or before February 1, 2018.*

*(4) The California Library Services Act establishes the California Library Services Board and provides that its duties include, among other things, adopting rules, regulations, and general policies relating to the implementation of the act. Existing law appropriates \$3,000,000*



*from the General Fund to the California State Library for allocation, as specified. Existing law requires the California State Library, on or before September 1, 2017, to submit a specified report on the use of those funds to the Director of Finance and the Legislature.*

*This bill would remove a redundant provision from that reporting law.*

*(5) Existing law appropriates \$18,000,000 from the General Fund to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction. Existing law requires the Superintendent to allocate the funds to local educational agencies as grants for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session.*

*This bill would authorize the department to use up to \$300,000, of the \$18,000,000 appropriated, to contract with a local educational agency for the purpose of conducting regional meetings, training, and other assistance as needed to support the grantees receiving grant moneys for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session and pursuant to the development and submission of an expenditure plan, as specified. By expanding the purposes of an existing appropriation, the bill would make an appropriation.*

*(6) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.*

~~*This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2016.*~~

*Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.*

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 44393 of the Education Code is amended*  
2     *to read:*  
3     44393. (a) The California Classified School Employee Teacher  
4     Credentialing Program is hereby established for the purpose of  
5     recruiting classified school employees to participate in a program  
6     designed to encourage them to enroll in teacher training programs  
7     and to provide instructional service as teachers in the public  
8     schools.



(b) Subject to an appropriation for these purposes in the annual Budget Act or another statute, the commission shall issue a request for proposals to all school districts, charter schools, and county offices of education in the state in order to solicit applications for funding. The criteria adopted by the commission for the selection of school districts, charter schools, or county offices of education to participate in the program shall include all of the following:

(1) The extent to which the applicant demonstrates the capacity and willingness to accommodate the participation of classified school employees in teacher training programs conducted at institutions of higher education or a local educational agency.

(2) The extent to which the applicant's plan for the implementation of its recruitment program involves the active participation of one or more local campuses of the participating institutions of higher education in the development of coursework and teaching programs for participating classified school employees. Each selected applicant shall be required to enter into a written articulation agreement with the participating campuses of the institutions of higher education.

(3) The extent to which the applicant's plan for recruitment attempts to meet the demand for *bilingual cross-cultural teachers* and teachers in shortage areas in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive.

(4) The extent to which a developmentally sequenced series of job descriptions leads from an entry-level classified school employee position to an entry-level teaching position in that school district, charter school, or county office of education.

(5) The extent to which the applicant's plan for recruitment attempts to meet its own specific teacher needs.

(c) An applicant that is selected to participate pursuant to subdivision (b) shall provide information about the program to all eligible classified school employees in the school district, charter school, or county office of education and assistance to each classified school employee it recruits under the program regarding admission to a teacher training program.

(d) (1) An applicant shall require participants to satisfy both of the following requirements before participating in the program:

(A) Pass a criminal background check.

(B) Provide verification of one of the following:

(i) Has earned an associate or higher level degree.



1 (ii) Has successfully completed at least two years of study at a  
2 postsecondary educational institution.

3 (2) An applicant shall certify that it has received a commitment  
4 from each participant that he or she will accomplish all of the  
5 following:

6 (A) Graduate from an institution of higher education under the  
7 program with a bachelor's degree.

8 (B) Complete all of the requirements for, and obtain, a multiple  
9 subject, single subject, or education specialist teaching credential.

10 (C) Complete one school year of classroom instruction in the  
11 school district, charter school, or county office of education for  
12 each year that he or she receives assistance for books, fees, and  
13 tuition while attending an institution of higher education under the  
14 program.

15 (e) The commission shall contract with an independent evaluator  
16 with a proven record of experience in assessing teacher training  
17 programs to conduct an evaluation to determine the success of the  
18 program. The evaluation shall be completed on or before July 1,  
19 2021. The commission shall submit the completed evaluation to  
20 the Governor and the education policy and fiscal committees of  
21 the Assembly and Senate.

22 (f) On or before January 1 of each year, the commission shall  
23 report to the Legislature regarding the status of the program,  
24 including, but not limited to, the number of classified school  
25 employees recruited, the academic progress of the classified school  
26 employees recruited, the number of classified school employees  
27 recruited who are subsequently employed as teachers in the public  
28 schools, the degree to which the applicant meets the teacher  
29 shortage needs of the school district, charter school, or county  
30 office of education, and the ethnic and racial composition of the  
31 participants in the program. The report shall be made in  
32 conformance with Section 9795 of the Government Code.

33 *SEC. 2. Section 65057 of the Government Code is amended to*  
34 *read:*

35 65057. (a) The California Initiative to Advance Precision  
36 Medicine is hereby established in the office. In establishing the  
37 initiative, the office shall incorporate agreements and partnerships  
38 regarding precision medicine entered into by the office prior to  
39 January 1, 2016.



(b) (1) The office shall develop, implement, and evaluate demonstration projects on precision medicine in collaboration with public, nonprofit, and private entities. A demonstration project may focus on one or more disease areas, and an award of funds under any appropriation of funds to the office for precision medicine shall be based on criteria that include, but are not limited to, the following:

(A) The potential for tangible benefit to patients within two to five years, including the likelihood that the study will have an immediate impact on patients.

(B) The depth and breadth of data available in the disease focus areas across institutions.

(C) The prospects for efficient and effective data integration and analysis.

(D) The expertise of potential team members.

(E) The resources available for the project outside of the initiative, including the potential for leveraging nonstate funding.

(F) The clinical and commercial potential of the project.

(G) The potential to reduce health disparities.

(H) The potential to scale and leverage multiple electronic health records systems.

(I) The potential to develop the use of tools, measurements, and data, including publicly generated and available data.

(2) A demonstration project that is selected by the office shall advance greater understanding in at least one of the following areas, or in another area that is determined by the office to be necessary to advance precision medicine:

(A) The application of precision medicine to specific disease areas.

(B) The challenges of system interoperability.

(C) Economic analysis.

(D) Standards for sharing data or protocols across institutions.

(E) The federal and state regulatory environment.

(F) The clinical environment.

(G) Challenges relating to data, tools, and infrastructure.

(H) The protection of privacy and personal health information.

(I) The potential for reducing health disparities.

(J) Methods and protocols for patient engagement.



1 (3) The office shall develop concrete metrics and goals for  
2 demonstration projects, monitor their progress, and  
3 comprehensively evaluate projects upon completion.

4 (4) (A) On or before January 1, 2017, and annually thereafter,  
5 the office shall submit a report to the Legislature that provides an  
6 update of the demonstration projects selected. Upon completion  
7 of a demonstration project, the office shall submit an evaluation  
8 of the demonstration project to the Legislature. A demonstration  
9 project is deemed complete when it has completed the agreed upon  
10 tasks and deliverables, and the project funding has been completed.

11 (B) A written report made pursuant to subparagraph (A) shall  
12 be made in compliance with Section 9795.

13 (c) The office shall develop an inventory of precision medicine  
14 assets, including projects, data sets, and experts. In developing the  
15 inventory, the office shall assemble knowledge across broad disease  
16 areas. The office shall use the inventory to inform strategic areas  
17 for the future development of precision medicine-related projects.

18 (d) The office may enter into agreements with public entities,  
19 or with nonprofit or not-for-profit organizations for the purpose  
20 of jointly administering the programs established under the  
21 initiative or to administer any provision of this section.

22 (e) The office shall create and post on a publicly available  
23 Internet Web site guidelines for an award of funds made under  
24 any appropriation of funds to the office for precision medicine.  
25 The guidelines shall include, but are not limited to, the following:

26 (A) Eligibility requirements.

27 (B) A competitive, merit-based application process that allows  
28 public and private academic and nonprofit institutions to submit  
29 proposals as principal investigators.

30 (C) A comprehensive peer-reviewed selection process.

31 (D) Requirements regarding the use of awarded funds.

32 (E) Requirements regarding the use and sharing of research data  
33 and findings.

34 (F) Requirements for the protection of privacy and personal  
35 health information.

36 (f) The office shall solicit public, nonprofit, and private sector  
37 input for any additional guidelines for an award of funds made  
38 pursuant to this section.

39 (g) The office shall establish standards that require a grant to  
40 be subject to an intellectual property agreement that balances the



1 opportunity of the state to benefit from the patents, royalties, and  
2 licenses that result from basic research, therapy development, and  
3 clinical trials against the need to ensure that the agreement does  
4 not unreasonably hinder essential medical research.

5 (h) The office may receive nonstate funds in furtherance of the  
6 initiative. “In furtherance of the initiative” means that funds may  
7 be used to award additional demonstration projects under the same  
8 terms and conditions as state funds in the initiative, held in reserve  
9 for follow-on funding of any awardees, or used to fund other  
10 nondemonstration project activities in a proportion no greater than  
11 20 percent of the total of nonstate funds received over the term of  
12 the commitment. The office shall return unexpended nonstate funds  
13 to the source before January 1, 2020.

14 (i) Up to 30 percent of any amount appropriated to the office  
15 for precision medicine may be held by the office until an equivalent  
16 amount of nonstate matching funds is identified and received.  
17 Amounts subject to nonstate match may be released in increments  
18 as determined by the office.

19 (j) Up to 10 percent of any amount appropriated to the office  
20 for precision medicine may be used by the office for administrative  
21 costs.

22 (k) The office shall recruit a precision medicine expert selection  
23 committee to represent various precision medicine-related skills,  
24 such as bioinformatics, statistics, health economics, patient  
25 engagement, and genomics. The Legislature may make nominations  
26 for the selection committee to the office for consideration.

27 (l) Members of the selection committee shall be deemed to not  
28 be interested in any contract, including any award of funds by the  
29 committee, pursuant to this section.

30 (m) Prior to the selection committee’s deliberative process, the  
31 office shall notify the Legislature of the selection of the committee  
32 members.

33 (n) The selection committee established in subdivision (k) shall  
34 comply with the Bagley-Keene Open Meeting Act (Article 9  
35 (commencing with Section 11120) of Chapter 1 of Part 1 of  
36 Division 3 of Title 2), except during the deliberative process as it  
37 relates to reviewing and ranking proposals and making final  
38 selections.

39 (o) The selection committee shall report on the justification for  
40 selecting the demonstration projects that are awarded funding and



1 provide a list of the demonstration projects that were not selected.  
2 This report shall be posted on the Internet Web site created in  
3 subdivision (e).

4 *(p) Notwithstanding the rulemaking provisions of the*  
5 *Administrative Procedure Act (Chapter 3.5 (commencing with*  
6 *Section 11340) of Part 1 of Division 3 of Title 2), the office may*  
7 *implement or interpret this article without taking any regulatory*  
8 *action.*

9 *SEC. 3. Section 10507.8 of the Public Contract Code is*  
10 *amended to read:*

11 10507.8. (a) As provided for in this article, when the University  
12 of California determines that it can expect long-term savings  
13 through the use of life-cycle cost methodology, the use of more  
14 sustainable goods and materials, and reduced administrative costs,  
15 the lowest responsible bidder may be selected on the basis of the  
16 best value to the university. In order to implement this method of  
17 selection, the Regents of the University of California shall adopt  
18 and publish policies and guidelines for evaluating bidders that  
19 ensure that best value selections by the university are conducted  
20 in a fair and impartial manner. These policies and guidelines shall  
21 conform to the requirements of subdivisions (c) and (d) and shall  
22 be applicable to the university when using best value as the bid  
23 evaluation methodology.

24 (b) For the purposes of this section, the following definitions  
25 apply:

26 (1) "Best value" means the most advantageous balance of price,  
27 quality, service, performance, and other elements, as defined by  
28 the university, achieved through methods in accordance with this  
29 section and determined by objective performance criteria that may  
30 include price, features, long-term functionality, life-cycle costs,  
31 overall sustainability, and required services.

32 (2) "Best value agreement" means an agreement entered into  
33 pursuant to the provisions of this section.

34 (3) "Best value awardee" means the lowest responsible bidder  
35 or bidders that are awarded an agreement for goods, materials, or  
36 services that was awarded through the use of best value for the bid  
37 evaluation methodology.

38 (4) "Best value criteria" means those criteria set forth in  
39 subdivision (d).



1 (5) “University” means all current campuses and locations of  
2 the University of California, including the medical centers, the  
3 national laboratories, and any future University of California  
4 campuses and locations.

5 (c) (1) The university shall consider all of the following when  
6 adopting policies and guidelines pursuant to subdivision (a):

7 (A) Price and service proposals that reduce the university’s  
8 overall operating costs.

9 (B) Supply and material standards that support the university’s  
10 strategic sourcing initiatives.

11 (C) A procedure for bid protest and resolution.

12 (2) The university shall award a best value agreement as follows:

13 (A) The university shall evaluate bidders based solely upon the  
14 best value criteria set forth in the solicitation documents.  
15 Solicitation for bids shall describe the best value criteria that the  
16 university will consider in evaluating the bidders by overall  
17 category and by specific attributes.

18 (B) The university shall award the agreement to the lowest  
19 responsible bidder or bidders whose bid or bids are determined by  
20 the university to be the best value in terms of price, quality, service,  
21 and performance, and that meet the university’s requirements.

22 (C) Bid participants that are not awarded a best value agreement  
23 shall be notified in writing at the end of the agreement award  
24 process.

25 (d) For the purposes of this section, the university may take into  
26 consideration any of the following best value criteria when  
27 awarding a best value agreement for goods, materials, and services:

28 (1) The total cost to the university of its use or consumption of  
29 goods, materials, and services.

30 (2) The operational cost or benefit incurred by the university as  
31 a result of a contract award.

32 (3) The added value to the university, as defined in the request  
33 for proposal, of vendor-added services.

34 (4) The quality and effectiveness of goods, materials, and  
35 services.

36 (5) The use of more sustainable goods and materials in the  
37 manufacturing of the goods and materials and the packaging of  
38 these products.

39 (6) The reliability and timeliness of delivery and installation.



1 (7) The terms and conditions of product warranties, maintenance,  
2 and vendor guarantees.

3 (8) The vendor's quality assurance, continuous improvement,  
4 and business resumption programs and their benefit to the  
5 university.

6 (9) The vendor's experience with the timely provision of goods,  
7 materials, and services.

8 (10) The consistency of quality and availability of the vendor's  
9 proposed supplies, materials, and services with the university's  
10 overall procurement program.

11 (11) The economic benefits to the local community, including,  
12 but not limited to, job creation or retention and the support of small  
13 and local businesses.

14 (e) The university shall ensure that all businesses have a fair  
15 and equitable opportunity to compete for, and participate in, the  
16 university best value bids and shall also ensure that discrimination  
17 in the award and performance of the agreement does not occur on  
18 the basis of gender, marital status, ancestry, medical condition, or  
19 any characteristic listed or defined in Section 11135 of the  
20 Government Code, or retaliation for having filed a discrimination  
21 complaint or protest in the performance of university contractual  
22 obligations.

23 (f) (1) On or before July 1, 2016, the University of California  
24 shall provide the Legislative Analyst's Office with a list of the  
25 policies and procedures adopted pursuant to subdivision (a). In  
26 addition, the university shall also collect and provide the following  
27 information to the Legislative Analyst's Office for each contract  
28 involving an expenditure of more than one hundred thousand  
29 dollars (\$100,000) for goods, materials, or services that was entered  
30 into on or after the effective date of this section:

31 (A) Whether the contract was awarded to the lowest responsible  
32 bidder or using best value.

33 (B) A description of the products, commodities, or services as  
34 defined in the bid solicitation.

35 (C) The names of the awardee or awardees of the agreement or  
36 agreements.

37 (D) The actual volume resulting from the agreements, or  
38 estimated volume if the agreements are less than one year old, of  
39 all purchases.



1 (E) A description of any written bid protest or protests  
2 concerning an aspect of the solicitation, bid, or award of the  
3 agreement, including the resolution of the protest.

4 (F) For each contract awarded using best value, the criteria used  
5 to evaluate the bids, as well as a summary of the rationale for  
6 awarding the contract.

7 (G) For each contract awarded using best value, a summary of  
8 any additional economic benefit other than the price of the contract,  
9 including an explanation of whether those benefits were realized  
10 as expected.

11 (H) For each contract awarded using best value, the university  
12 shall identify one or more comparable contracts awarded using  
13 the traditional lowest responsible bidder method, including, but  
14 not limited to, contracts awarded prior to the adoption of the best  
15 value acquisition policies.

16 (2) On or before February 1, ~~2017~~, 2018, the Legislative Analyst  
17 shall report to the Legislature on the use of best value procurement  
18 by the University of California. The Legislative Analyst shall use  
19 the information provided by the university to report all of the  
20 following:

21 (A) An assessment of any benefits or disadvantages of best  
22 value acquisition as compared to bids awarded to the lowest  
23 responsible bidder.

24 (B) An assessment of whether the use of best value procurement  
25 has led to a difference in the number of disputes as compared to  
26 contracts awarded using the traditional lowest responsible bidder  
27 method.

28 (C) An assessment of the policies adopted by the university  
29 pursuant to subdivision (a), as well as an assessment of the  
30 performance criteria used by the university to evaluate the bids  
31 and the effectiveness of the methodology.

32 (D) A comparison of the overall cost of contracts let under best  
33 value acquisition pursuant to this section to similar contracts let  
34 under traditional low bid procurement practices.

35 (E) Recommendations as to whether the best value at lowest  
36 cost acquisition procurement authority should be continued.

37 (g) This section applies solely to the procurement of goods,  
38 materials, or services and shall not apply to construction contracts.

39 (h) This section shall remain in effect only until January 1, ~~2018~~,  
40 2019, and as of that date is repealed.



1 (i) Except as otherwise provided in this article, this article is  
2 not intended to change in any manner any guideline, criteria,  
3 procedure, or requirement of the Regents of the University of  
4 California to let any contract for goods, materials, or services to  
5 the lowest responsible bidder meeting certain specifications or to  
6 reject all bids.

7 *SEC. 4. Section 20651.7 of the Public Contract Code is*  
8 *amended to read:*

9 20651.7. (a) For the purposes of bid evaluation and selection  
10 pursuant to subdivision (a) of Section 20651, when a community  
11 college district determines that it can expect long-term savings  
12 through the use of life-cycle cost methodology, the use of more  
13 sustainable goods and materials, and reduced administrative costs,  
14 the community college district may provide for the selection of  
15 the lowest responsible bidder on the basis of best value pursuant  
16 to policies and procedures adopted by the governing board in  
17 accordance with this section.

18 (b) For purposes of this section, “best value” means the most  
19 advantageous balance of price, quality, service, performance, and  
20 other elements, as defined by the governing board, achieved  
21 through methods in accordance with this section and determined  
22 by objective performance criteria that may include price, features,  
23 long-term functionality, life-cycle costs, overall sustainability, and  
24 required services.

25 (c) A community college district shall consider all of the  
26 following when adopting best value policies pursuant to subdivision  
27 (a):

28 (1) Price and service level proposals that reduce the district’s  
29 overall operating costs, including end-of-life expenditures and  
30 impact.

31 (2) Equipment, services, supplies, and materials standards that  
32 support the community college district’s strategic acquisition and  
33 management program direction.

34 (3) A procedure for protest and resolution.

35 (d) A community college district may consider any of the  
36 following factors if adopting policies and procedures pursuant to  
37 subdivision (c):

38 (1) The total cost to the community college district of its  
39 purchase, use, and consumption of equipment, supplies, and  
40 materials.



1 (2) The operational cost or benefit incurred by the community  
2 college district as a result of a contract award.

3 (3) The added value to the community college district, as defined  
4 in the request for proposal, of vendor-added services.

5 (4) The quality and effectiveness of equipment, supplies,  
6 materials, and services.

7 (5) The reliability of delivery and installation schedules.

8 (6) The terms and conditions of product warranties and vendor  
9 guarantees.

10 (7) The financial stability of the vendor.

11 (8) The vendor's quality assurance program.

12 (9) The vendor's experience with the provisions of equipment,  
13 supplies, materials, and services within the institutional  
14 marketplace.

15 (10) The consistency of the vendor's proposed equipment,  
16 supplies, materials, and services with the district's overall supplies  
17 and materials procurement program.

18 (11) The economic benefits to the local community, including,  
19 but not limited to, job creation and retention.

20 (12) The environmental benefits to the local community.

21 (e) A community college district awarding a contract under this  
22 section shall award a contract to the lowest responsible bidder  
23 whose proposal is determined, in writing by the community college  
24 district, to be the best value to the community college district based  
25 solely on the criteria set forth in the request for proposal.

26 (f) The governing board of a community college district shall  
27 issue a written notice of intent to award supporting its contract  
28 award and stating in detail the basis of the award. The notice of  
29 the intent to award and the contract file must be sufficient to satisfy  
30 an external audit.

31 (g) The governing board of a community college district shall  
32 publicly announce its award, identifying the bidder to which the  
33 award is made, the price proposal of the contractor awarded the  
34 contract, and the overall combined rating on the request for  
35 proposal evaluation factors. The announcement shall also include  
36 the ranking of the contractor awarded the contract in relation to  
37 all other responsive bidders and their respective price proposals  
38 and summary of the rationale for the contract award.

39 (h) The community college district shall ensure that all  
40 businesses have a fair and equitable opportunity to compete for,



1 and participate in, district contracts and shall also ensure that  
2 discrimination, as described in subdivision (e) of Section 12751.3  
3 of the Public Utilities Code, in the award and performance of  
4 contracts does not occur.

5 (i) (1) If a community college district elects to purchase  
6 equipment, materials, supplies, and services by contract, let in  
7 accordance with this section, the community college district shall  
8 submit the following information to the Chancellor of the  
9 California Community Colleges on or before January 1, 2016:

10 (A) The community college district's policies adopted pursuant  
11 to subdivision (a).

12 (B) An annual list of district procurements for contracts with a  
13 brief description of the contract, the winning bid, the cost, and if  
14 the contract was done under best value acquisition policies.

15 (C) For a contract awarded under the best value acquisition  
16 policies, the bid announcement announcing the bidder to which  
17 the award was made, including that bidder's scoring rating  
18 compared to other bidders, the winning contractor's price proposal,  
19 the overall combined rating on the request for proposal evaluation  
20 factors, a description of the products, commodities, or services  
21 sought, and a summary of the rationale for the contract award.

22 (D) For each contract awarded using the best value acquisition  
23 policies at least one bid award announcement for a comparably  
24 priced contract using the traditional lowest responsible bidder  
25 process that specifies the bidder to which the contract was awarded,  
26 the amount of the award, and the request for bid for that contract  
27 that includes a description of the products, commodities, or services  
28 sought for at least one comparably sized contract, to the best value  
29 contract being let, awarded pursuant to the traditional lowest  
30 responsible bidder process including contracts awarded by the  
31 district in the three years prior to the adoption of best value  
32 acquisition policies by the district.

33 (E) For contracts awarded using best value, a summary of any  
34 additional economic benefit other than the price of the contract  
35 obtained, including an explanation of whether these benefits were  
36 realized as expected.

37 (F) The total number of bid protests or protests concerning an  
38 aspect of the solicitation, bid, or award of the agreement since the  
39 district adopted policies pursuant to subdivision (a) and the number  
40 of those protests that occurred under best value.



(G) A description of any written bid protest or protests concerning an aspect of the solicitation, bid, or award of the agreement including the resolution of the protest for any contract submitted pursuant to this section.

(2) The Legislative Analyst shall request the chancellor to provide the information specified in paragraph (1) to the Legislative Analyst on or before July 1, 2016. On or before February 1, ~~2017~~, 2018, the Legislative Analyst shall report to the Legislature on the use of competitive means for obtaining best value procurement by community college districts. The Legislative Analyst shall use the information provided by the chancellor to report all of the following:

(A) A summary of the overall benefits of best value acquisition.

(B) A comparison of the overall cost of contracts let under best value acquisition pursuant to this section to similar contracts let under traditional low bid procurement practices.

(C) An assessment of any benefits or disadvantages of best value procurement practices as compared to bids awarded to the lowest responsible bidder.

(D) An assessment of whether the use of best value procurement has led to a difference in the number of disputes as compared to contracts awarded using the traditional lowest responsible bidder method.

(E) An assessment of the policies adopted by the community college districts pursuant to subdivision (a) as well as an assessment of the overall performance criteria used to evaluate the bids and the effectiveness of the methodology.

(F) Recommendations as to whether the best value at lowest cost acquisition procurement authority should be continued.

(j) This section shall remain in effect only until January 1, ~~2018~~, 2019, and as of that date is repealed.

*SEC. 5. Section 34 of Chapter 24 of the Statutes of 2016 is amended to read:*

Sec. 34. (a) The sum of three million dollars (\$3,000,000) is hereby appropriated from the General Fund to the California State Library for allocation pursuant to this act.

(b) (1) On or before September 1, 2017, the California State Library shall submit a report to the Director of Finance and the Legislature about the use of the moneys described in subdivision

(a). The report shall include all of the following:



1 (A) A summary of the grants awarded, including grant amounts.

2 (B) A description of the projects.

3 (C) A description of any additional funding benefiting the  
4 projects.

5 (D) Information about the progress of grantees toward  
6 establishing regional or statewide E-resource platforms.

7 (E) Information, where applicable, about the utilization of shared  
8 E-resources resulting from the grants.

9 ~~(F) A description, where applicable, of any other funding~~  
10 ~~benefiting the projects.~~

11 (2) The report submitted pursuant to paragraph (1) shall be  
12 submitted in compliance with Section 9795 of the Government  
13 Code.

14 *SEC. 6. Section 39 of Chapter 29 of the Statutes of 2016 is*  
15 *amended to read:*

16 Sec. 39. (a) (1) For the 2016–17 fiscal year, the sum of  
17 eighteen million dollars (\$18,000,000) is hereby appropriated from  
18 the General Fund to the State Department of Education for transfer  
19 by the Controller to Section A of the State School Fund for  
20 allocation by the Superintendent of Public Instruction. The  
21 Superintendent of Public Instruction shall allocate these funds to  
22 provide grants to local educational agencies for dropout and truancy  
23 prevention programs pursuant to legislation enacted in the 2015–16  
24 Regular Session. These funds are available for encumbrance  
25 through the 2018–19 fiscal year.

26 (2) *Of the total amount appropriated pursuant to paragraph*  
27 *(1), the department may use up to three hundred thousand dollars*  
28 *(\$300,000) to contract with a local educational agency for the*  
29 *purpose of conducting regional meetings, training, and other*  
30 *technical assistance activities as needed to support the grantees*  
31 *receiving moneys for dropout and truancy prevention programs*  
32 *pursuant to legislation enacted in the 2015–16 Regular Session*  
33 *and pursuant to the development of an expenditure plan. These*  
34 *funds shall be available for expenditure no sooner than 30 days*  
35 *after the expenditure plan is provided to the Joint Legislative*  
36 *Budget Committee.*

37 (b) For purposes of making the computations required by Section  
38 8 of Article XVI of the California Constitution, the appropriations  
39 made by subdivision (a) shall be deemed to be “General Fund  
40 revenues appropriated for school districts,” as defined in



1 subdivision (c) of Section 41202 of the Education Code, for the  
2 2015–16 fiscal year, and included within the “total allocations to  
3 school districts and community college districts from General Fund  
4 proceeds of taxes appropriated pursuant to Article XIII B,” as  
5 defined in subdivision (e) of Section 41202 of the Education Code,  
6 for the 2015–16 fiscal year.

7 *SEC. 7. This act is a bill providing for appropriations related*  
8 *to the Budget Bill within the meaning of subdivision (e) of Section*  
9 *12 of Article IV of the California Constitution, has been identified*  
10 *as related to the budget in the Budget Bill, and shall take effect*  
11 *immediately.*

12 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~  
13 ~~changes relating to the 2016 Budget Act.~~